

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WILLIAM HARRIS, JR.,	:	
ANGELL HARRIS,	:	
LORRIA RUIZ,	:	
	:	
Plaintiffs,	:	CIVIL ACTION
v.	:	
	:	
DERRICK JACOBS,	:	
CITY OF PHILADELPHIA,	:	
	:	
Defendants.	:	NO. 11-4685
	:	
	:	

**ORDER**

AND NOW, this 18<sup>th</sup> day of *September*, 2012, upon consideration of Defendants' Motion for Summary Judgment (Docket No. 11), Plaintiffs' Response in Opposition (Docket No. 14), Defendants' Reply (Docket No. 15), and Plaintiffs' Sur-Reply (Docket No. 19), it is hereby **ORDERED** as follows:

1. Defendants' Motion for Summary Judgment is **DENIED** as to Plaintiffs' malicious prosecution claim asserted against Detective Jacobs;
2. Defendants' Motion for Summary Judgment is **GRANTED** and **JUDGMENT IS ENTERED** in the City of Philadelphia's favor on the municipal liability claim asserted against it;
2. Plaintiffs' request for spoliation sanctions as a result of the loss and/or destruction of Detective Jacobs's investigation file is **DENIED**.

It is so **ORDERED**.

BY THE COURT:

*s/ Ronald L. Buckwalter*

RONALD L. BUCKWALTER, S.J.